

ORDER FOR FILING
Date
By

IN RE: PETITION FOR ZONING VARIANCE
E/S of Tartarian Court, 237' N
of the c/l of Caledonia Avenue
(3211 Tartarian Court)
13th Election District
1st Councilmanic District
Dennis C. Young, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 32 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Joyce Young, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 3211 Tartarian Court, consists of 1,650 sq. ft. zoned D.R. 10.5, and is improved with a single family group home which has been the residence of Petitioners for the past 17 years. Testimony indicated the dwelling presently contains three bedrooms and that Petitioners have three children. Mrs. Young testified that she and her husband propose constructing a bedroom addition to the rear of the dwelling to provide living space for his mother. Mrs. Young testified her mother-in-law is 79 years of age and is in poor health. In addition to living with her son's family, the proposed first floor bedroom addition will allow her convenient access to the living room, dining room and kitchen areas without having to climb stairs. Testimony indicated that Petitioners discussed their proposal with adjoining neighbors who voiced no objections to their plans. Testimony presented indicated that the variance requested will not result in any detriment to the public health, safety or general welfare.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of July, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 32 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, and he granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

July 13, 1989



Dennis F. Rasmussen
County Executive

Mrs. Joyce D. Young
3211 Tartarian Court
Baltimore, Maryland 21227

RE: PETITION FOR ZONING VARIANCE
E/S of Tartarian Court, 237' N of the c/l of Caledonia Avenue
(3211 Tartarian Court)
13th Election District - 1st Councilmanic District
Dennis C. Young, Sr., et ux - Petitioners
Case No. 89-543-A

Dear Mrs. Young:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3331.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Beginning on the east side of
Tartarian Ct. 65 feet wide at the
distance of 322 feet north of centerline
of CALDONIA AVE. BEING LOT 99, BLOCK 6
AND PART of 5 in the sub division of
RIVERVIEW. BOOK NO. 22 FOLIO 20 ALSO
KNOWN as 3211 Tartarian Ct in the
13th election district.

Dennis & Joyce Young
3211 TARTARIAN COURT
BALTO MD 21227

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1902.3.A.1. (B.C.Z.R. 1955) to permit a rear yard setback of 32' in lieu of the minimum 50'.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	MAP
(Type or Print Name)	(Type or Print Name)	3A
Signature	Signature	E. D. 124
Address	(Type or Print Name)	DATE 5/12
City and State	Signature	200 15
Attorney for Petitioner:	Address	1000 62
(Type or Print Name)	City and State	DP
Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Address	Name	
City and State	Address	
Attorney's Telephone No.:	Address	

ORDERED By The Zoning Commissioner of Baltimore County, this 26 day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 7 day of July, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance
Case number: 89-543-A
E/S of Tartarian Court, 237' N of Caledonia Avenue
3211 Tartarian Court
13th Election District
1st Councilmanic District
Petitioner(s):
Dennis C. Young, Sr., et ux
Hearing Date: Friday, July 7, 1989 at 2:00 p.m.
Variance to permit a rear yard setback of 32 feet in lieu of the minimum 50 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, suspend any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commissioner not later than the date of the hearing and before the issuance of the hearing decision.

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 8, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 8, 1989.

THE JEFFERSONIAN,

S. Zake Publisher

61.27

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 13th
Date of Posting June 14, 1989
Posted for: Variance
Petitioner: Dennis C. Young, Jr.
Location of property: E/S of Tartarian Court, 237' N of the c/l of Caledonia Avenue (3211 Tartarian Court)
Location of Sign: 65 feet of 3211 Tartarian Court
Remarks: S. Zake
Posted by: S. Zake
Number of Signs: 1
Date of return: June 16, 1989

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance
Case number: 89-543-A
E/S of Tartarian Court, 237' N of Caledonia Avenue
3211 Tartarian Court
13th Election District
1st Councilmanic District
Petitioner(s):
Dennis C. Young, Sr., et ux
Hearing Date: Friday, July 7, 1989 at 2:00 p.m.
Variance to permit a rear yard setback of 32 feet in lieu of the minimum 50 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, suspend any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commissioner not later than the date of the hearing and before the issuance of the hearing decision.

Office of PATUXENT Publishing Company

10750 Lime Patuxent Hwy.
Columbia, MD 21044

THIS IS TO CERTIFY, that the annexed advertisement of was inserted in the following:
☒ Annapolis Times
☒ Annapolis Times
☒ Reporter Weekly
weekly newspapers published in Baltimore County, Maryland once a week for 1 successive weeks before the day of June 19, 1989, that is to say, the same was inserted in the issues of June 8.

PATUXENT PUBLISHING COMPANY
By S. Zake Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

June 6, 1989

Mrs. & Mr. Dennis C. Young
3211 Tartarian Court
Baltimore, Maryland 21227

Re: Petition for Zoning Variance
CASE NUMBER: 89-543-A
E/S of Tartarian Court, 237' N of Caledonia Avenue
3211 Tartarian Court
13th Election District - 1st Councilmanic District
Petitioner(s): Dennis C. Young, Sr., et ux
HEARING SCHEDULED: FRIDAY, JULY 7, 1989 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$76.27 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. To not receive the sign and post notice from the time it is posted by this office until the day of the hearing.

THIS FEE MUST BE PAID AND THE 7-MINUTE SIGN AND POST NOTICE RETURNED IN THE DAY OF THE HEARING OR THE SIGNER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign and post notice to the Zoning Office, County Office Building, Room 111, 111 W. Maryland, 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE	ACCOUNT	AMOUNT
		\$ 76.27
RECEIVED FROM:		
FOR:		
VALIDATION OR SIGNATURE OF CARRIER		

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-3553
J. Robert Haines
Zoning Commissioner

May 26, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-543-A
E/S of Tartarian Court, 237' N of Caledonia Avenue
3211 Tartarian Court
13th Election District - 1st Councilmanic
Petitioner(s): Dennis C. Young, Sr., et ux
HEARING SCHEDULED: FRIDAY, JULY 7, 1989 at 2:00 p.m.

Variance to permit a rear yard setback of 32 feet in lieu of the minimum 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Young
File



Dennis F. Rasmussen
County Executive

89-543-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
26th day of April, 1989.

J. Robert Haines
J. ROBERT HAINES
Chairman, Zoning Plans
Advisory Committee

Petitioner: Dennis C. Young, Sr., et ux Received by: James E. Dyer
Petitioner's Attorney: Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 20, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. & Mrs. Dennis C. Young, Sr.
3211 Tartarian Court
Baltimore, MD 21227

RE: Item No. 427, Case No. 89-543-A
Petitioner: Dennis C. Young, Sr., et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Young:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WYNIANSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

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Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 25, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, and 448.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
APR 29 1989

ZONING OFFICE

Baltimore County
Fire Department
80 York Road
Towson, Maryland 21204-2506
(301) 887-4500

Paul H. Betsche
Chief



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: Dennis C. Young, Sr., et ux

Location: E/S of Tartarian Ct., 237' N of centerline of
Caledonia Avenue

Item No.: 427 Zoning Agenda: April 25, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Carl H. Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

APR 26 1989

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: June 16, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-543-A
Item No. 427

Re: Dennis C. Young, Sr. et ux

The Petitioners request a variance to allow a rear yard setback of 32 feet in lieu of the required 50 feet. In reference to this request, staff offers no comment.

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

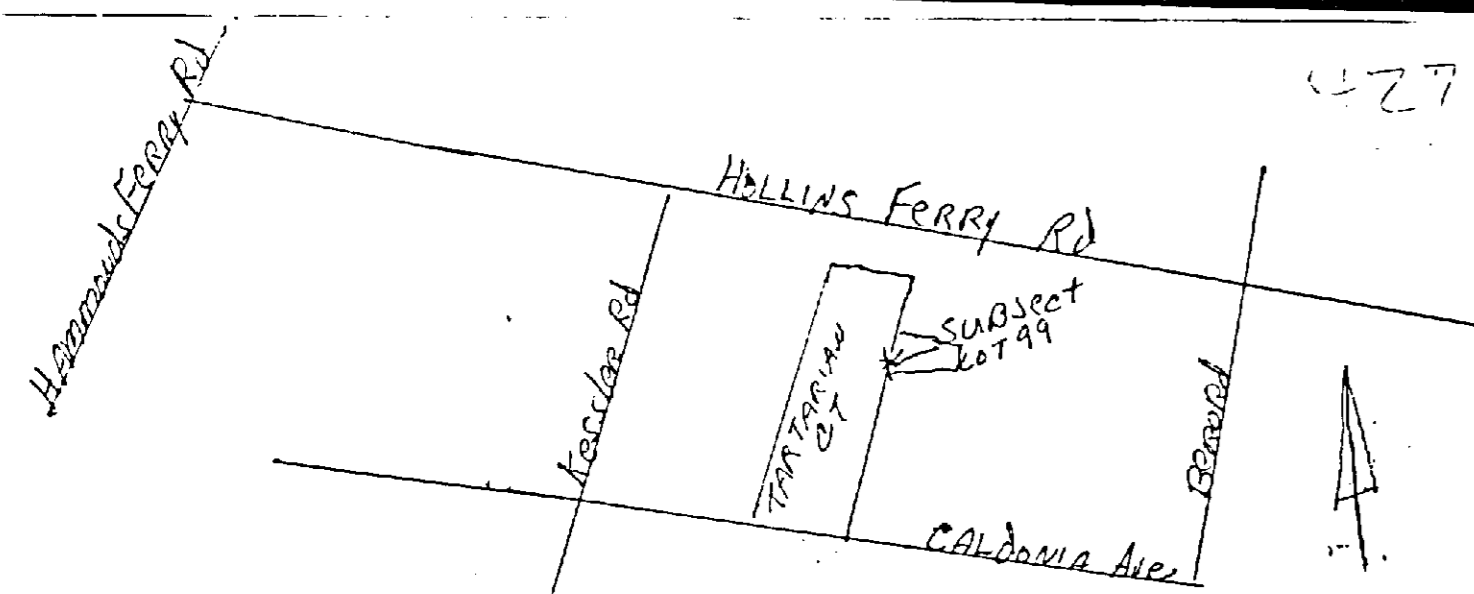
TO: Zoning Advisory Committee
DATE: May 17, 1989
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for April 25, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting and we have no comments for items 424, 425, 427, 428, 429, 430, 431, 432, 435, 437, 439, 440, 441, 442, 443, 444, 445, 447, and 448. Comments are attached for items 426, 434, 436, 438 and 446.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s
Encls.

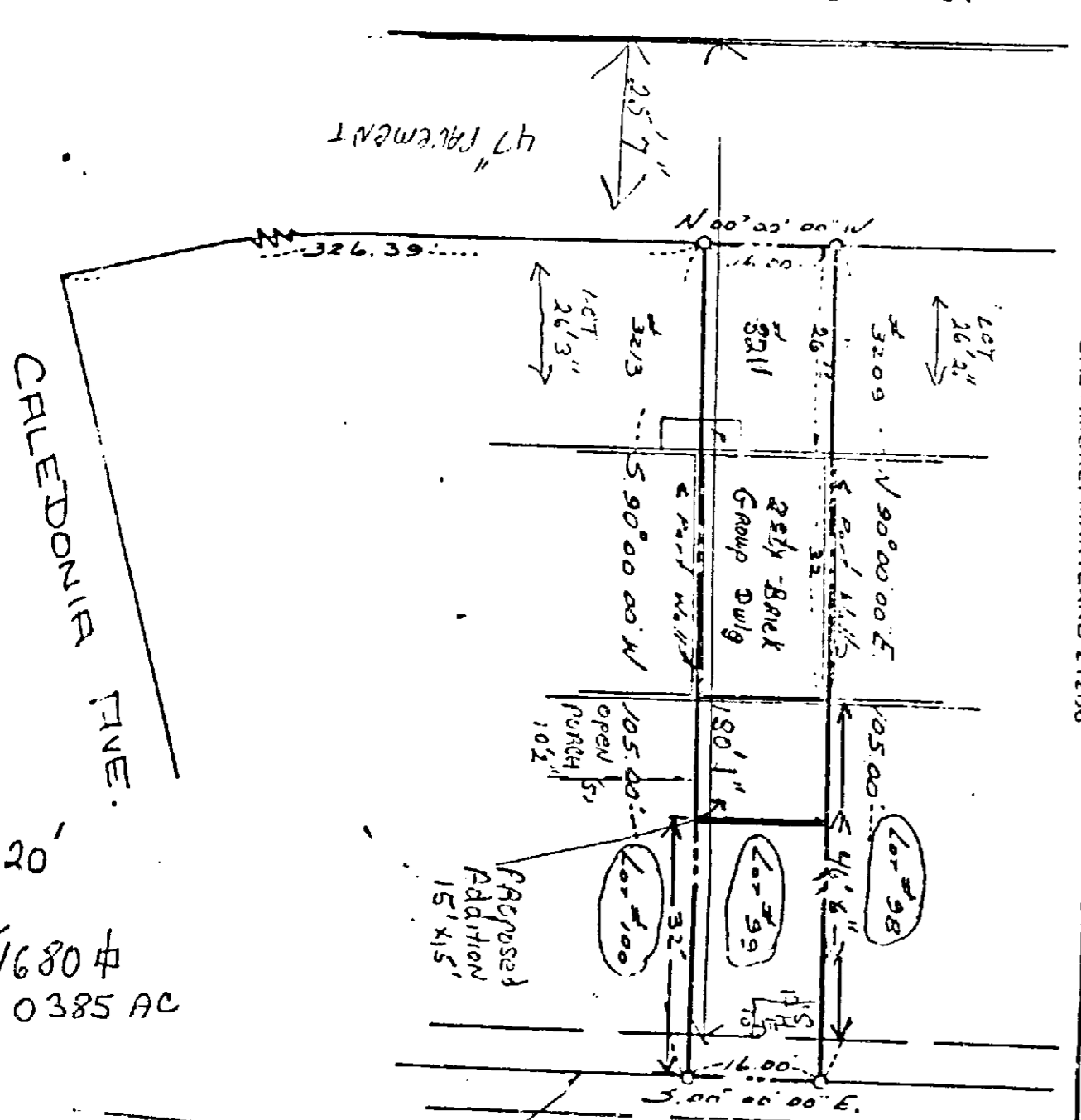
MAY 16 1989



VICINITY MAP

PLT FOR ZONING VARIANCE Owner - Dennis & Joyce Young Sr.
DISTRICT 13 Zoned R.R. 10.5 RIVERVIEW Block 6 and Feet 5
LOT 99 BLOCK 6 BOOK 22 FOLIO 20 EXIST UTILITIES

TARTARIAN COURT



SCALE 1"=20'
LOT SIZE
1680 sq ft
0.0385 ac